

THURSDAY, JUNE 20, 2002
NINETY-FIRST LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Ed Wood, Sparta, Tennessee.

Representative Curtiss led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; personal reasons.

Representative Cooper; illness.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Curtiss was recognized in the Well to introduce Miss Elizabeth Wood, Miss Teen Tennessee, who performed "God Bless America."

REMARKS FROM SPEAKER NAIFEH

Ladies and Gentlemen, we lost our dear friend and colleague, Keith Westmoreland yesterday. I, personally, am very saddened by this tragedy. He was a very fine [gentleman], and had a very fine family and they have lost a devoted father and a loving husband. Keith Westmoreland was my friend. He was a hardworking, very conscientious legislator. He worked hard in the Legislature and came to represent his constituents and the people of Tennessee. Keith took very courageous stands on very tough issues and it didn't ever bother him. Our thoughts and prayers are with his wife, Alice, and his sons, Joel and Stoney, his brothers Dennis and Dan, his sister, Pat, and all of his family. I spoke with Alice several times over the last several days. We talked last night. We talked earlier today. She has asked that the entire membership of the 102nd General Assembly serve as honorary pallbearers. The services will be at two o'clock [p.m.] on Sunday in Kingsport and we will be notified later today on the location of the memorial service. At this time I'm going to ask the Speaker Pro Tempore [Lois DeBerry] to come to the Well. Ladies and Gentlemen, we don't have any business today that is so pressing that we need to do anything about it. I'm going to ask the Leaders about putting the calendars off until Monday. Our schedule has been altered but you have got to be flexible. We have all been through a lot of [trying] times, and we will continue to go through these times. And out of respect to our dear friend, Keith Westmoreland, it will be our intention to adjourn today until one o'clock [p.m.] on Monday.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

RECOGNITION IN THE WELL

Speaker Pro Tempore Lois DeBerry invited all members who desired to speak in remembrance of Representative Keith Westmoreland to approach the Well to be recognized.

Representative Don Ridgeway was recognized and he performed the hymn "How Great Thou Art."

Afterward, the following members made remarks: Representative Steve McDaniel, Representative Jim Boyer, Representative Joe Kent, Representative Joe McCord, Representative Ken Givens, Representative Curry Todd, Representative Ronnie Davis, Representative Kathryn Bowers, Representative Johnny Shaw, Representative Joe Towns, Representative Chris Newton, Representative Jason Mumpower, Representative Gene Davidson, Representative John DeBerry, Representative Raymond Walker, Representative Charles Sargent, Representative W. C. "Bubba" Pleasant, Representative David Shepard and Representative Randy Rinks.

Final remarks were made by Speaker Pro Tempore Lois DeBerry.

Representative Don Ridgeway closed the remarks with the hymn "Amazing Grace."

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

MOTION TO RESET BILLS

Speaker Naifeh announced that all bills set for today's Calendars would be reset for the Calendars on Monday, June 24, 2002.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 960: Rep(s). Kisber as prime sponsor(s).

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2613; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3116; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1266; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

June 20, 2002

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 592, 646, 659, 1105, 1106, 1113, 1114, 1115, 1116, 1117, 1118, 1120, 1121, 1122, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1133, 1134, 1135, 1136, 1137, 1138, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1148, 1149, 1150, 1151, 1152, 1153, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164 and 1166.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 20, 2002

The Speaker signed the following: House Joint Resolution(s) No(s). 592, 646, 659, 1105, 1106, 1113, 1114, 1115, 1116, 1117, 1118, 1120, 1121, 1122, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1133, 1134, 1135, 1136, 1137, 1138, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1148, 1149, 1150, 1151, 1152, 1153, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164 and 1166.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1210; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

June 20, 2002

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 646, 1210, 2106, 2250, 2650, 3282, 3283 and 3291.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 20, 2002

The Speaker signed the following: House Bill(s) No(s). 646, 1210, 2106, 2250, 2650, 3282, 3283 and 3291.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 857, 879, 880, 881, 882 and 883; all adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

***Senate Joint Resolution No. 857** -- Highway Signs - "Veterans Memorial Highway," U.S. Highway 127 in Cumberland County. by *Davis L, *Burks.

Senate Joint Resolution No. 879 -- Memorials, Interns - Jennifer Lauren Lewis. by *Haun.

Senate Joint Resolution No. 880 -- Memorials, Interns - Andrew Joseph Merriman. by *Haun.

Senate Joint Resolution No. 881 -- Memorials, Public Service - Beecher Frasier, Jr., Cumberland County Commissioner. by *Davis L, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper J, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jackson, *Kurita, *Kyle, *McNally, *Miller J, *Norris, *Person, *Ramsey, *Rochelle, *Trail, *Wilder, *Williams, Sen..

Senate Joint Resolution No. 882 -- Memorials, Interns - Chris Eaton. by *Cooper J.

Senate Joint Resolution No. 883 -- Memorials, Death - Robert Thomas Spicer. by *Jackson.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2457.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Miller, Henry and Rochelle to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2457.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill No. 2258.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
June 20, 2002

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2599.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 3.

The Speaker appointed a Conference Committee composed of Senators Crowe, Crutchfield and Burks to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 2599.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill No. 2984.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE
June 20, 2002

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3139.

The Senate nonconcurred in House Amendment(s) No(s). 2 and 3.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2518.

The Senate nonconcurred in House Amendment(s) No(s). 3.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2596; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED

June 20, 2002

The Speaker signed the following: Senate Bill(s) No(s). 2596.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 646, 1210, 2106, 2250, 2650, 3282, 3283, 3291; also, House Joint Resolution(s) No(s). 592, 646, 659, 1105, 1106, 1113, 1114, 1115, 1116, 1117, 1118, 1120, 1121, 1122, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1133, 1134, 1135, 1136, 1137, 1138, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1148, 1149, 1150, 1151, 1152, 1153, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164 and 1166; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

June 20, 2002

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2258 and 2984.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 20, 2002

The Speaker signed the following: House Bill(s) No(s). 2258 and 2984.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 20, 2002

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2258 and 2984; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Casada, Chumney, Clem, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 1:00 p.m., Monday, June 24, 2002.